

Message Text

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TAGS: OCON, OGEN
SUBJECT: TOPICS FOR CONSULAR CONFERENCE

REF: (A) STATE 5765, (B) STATE 1391

WE WOULD LIKE THE FOLLOWING TOPICS CONSIDERED FOR DISCUSSION AT THE
CONFERENCE:

VISAS

1. WE HAVE IN THE PAST ISSUED B-1 VISAS WITH A RECOMMENDED STAY
UP TO ONE YEAR TO THE "FIANCEE" OF J, F, H OR L VISA APPLICANTS WHEN
WE WERE CONVINCED THAT THE PERSON WAS THE UNOFFICIAL DEPENDENT OF THE
PRINCIPAL VISA APPLICANT AND WOULD NOT WORK IN THE UNITED STATES. IN
SWEDEN, AS ELSEWHERE, MANY PEOPLE LIVE TOGETHER WITHOUT BEING MARRIED

.
IT IS AN ACCEPTED INSTITUTION RECOGNIZED BY THE GOVERNMENT HERE. TO
DENY A NIV TODAY BECAUSE THE COUPLE IS NOT MARRIED PUTS US IN A
DIFFICULT POSITION. COULD THE DEPARTMENT GIVE SOME GUIDANCE ON THE
POSSIBLE USE OF A B-1 WITH A RECOMMENDED STAY TO COINCIDE WITH THE
PRINCIPALS STAY IN THE UNITED STATES?

2. WE HAVE COME ACROSS SEVERAL INSTANCES WHERE AN EXCHANGE ORGANI-
ZATION HAS SPONSORED YOUNG SWEDES AS EXCHANGE VISITORS WHOSE SOLE
PURPOSE WAS TO WORK AT US SUBSIDIARIES OF SWEDISH FIRMS. WE WOULD BE
INTERESTED IN HEARING WHETHER OTHER POSTS ARE HAVING THIS PROBLEM
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AND IN DISCUSSING GUIDELINES FOR WORK ARRANGEMENTS WHICH ARE OR ARE
NOT CONSIDERED ACCEPTABLE UNDER J-1 PROGRAMS.

3. IT WOULD BE APPRECIATED TO HAVE SOME GUIDANCE ON THE USE OF THE
B-1 VISA FOR EXTENDED PERIODS OF "TRAINING" IN THE UNITED STATES.

4. WE WOULD WELCOME A DISCUSSION OF INS PROCEDURES TO DETERMINE

LOSS OF RESIDENT ALIENS STATUS FOR THOSE WHO SPEND THE MAJOR PART OF THEIR TIME OUTSIDE THE U.S. BUT WHO CLAIM THAT THEY WANT TO MAINTAIN THEIR RESIDENT ALIEN STATUS. DOES THE MERE RETURN TO VISIT US WITHIN A ONE YEAR PERIOD ALLOW THE IV HOLDER TO CONTINUE IN THAT STATUS EVEN IF THERE IS NO LONGER A PERMANENT RESIDENCE IN THE U.S.?

5. A REVIEW OF IV AND NIV PROCEDURES FOR MEDICAL DOCTORS IN LIGHT OF RECENT INA AMENDMENTS WOULD BE HELPFUL.

6. WE FEEL THE WHOLE QUESTION OF 212(A)(28) AND ITS RELEVANCE TO TODAY'S CONDITIONS IS AN IMPORTANT TOPIC FOR DISCUSSION. WE WOULD ALSO LIKE TO DISCUSS THE EXTENT TO WHICH THE DEPARTMENT'S PROCEDURES MIGHT BE LIBERALIZED WITHOUT WAITING FOR CONGRESSIONAL ACTION. SPECIFICALLY, WE HAVE IN MIND POSSIBLE ALLOWANCE FOR THE CONSULAR OFFICER TO MAKE A DETERMINATION OF INVOLUNTARY STATUS IN THE CASE OF CP MEMBERSHIP IN COMMUNIST COUNTRIES AND WHETHER IT WOULD BE POSSIBLE TO RATIONALIZE THE LONG AND OFTEN DEMEANING PROCESS REQUIRED FOR DETERMINATION OF DEFECTOR STATUS. IT MIGHT BE OF INTEREST TO NOTE THAT IN STOCKHOLM FOR EVERY REFUSAL UNDER 212(A)(28) FOR PRESENT MEMBERSHIP WE HAVE FOUR REFUSALS FOR PAST MEMBERSHIP.

PASSPORT AND CITIZENSHIP

7. MILITARY SERVICE IN SWEDEN IS COMPULSORY. HOW FAR NEED THE APPLICANT GO TO PROVE THAT IT WAS INVOLUNTARY? MUST HE WRITE TO THE MILITARY AUTHORITIES AND PROTEST OR WILL HIS ORAL STATEMENT PLUS THE FACT THAT WE KNOW IT IS COMPULSORY SUFFICE?

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8. A GENERAL DISCUSSION ON RENUNCIATION OF CITIZENSHIP WOULD BE USEFUL. WE HAVE FOUND THAT MANY PEOPLE WHO WANT TO RENOUNCE HAVE EMOTIONAL OR OTHER PROBLEMS. ALSO WE HAVE HAD CASES OF AMERICANS SENTENCED TO PRISON TERMS AND THEN DEPORTATION WHO RENOUNCE TO AVOID BEING DEPORTED TO THE UNITED STATES. TO ACCEPT RENUNCIATIONS IN THESE CASES IS NOT POPULAR WITH THE LOCAL AUTHORITIES. SHOULD WE ACCEPT RENUNCIATIONS THAT LEAVE A PERSON STATELESS OR A RENUNCIATION TO AVOID BEING DEPORTED FROM A COUNTRY?

9. A GENERAL DISCUSSION OF LOSS OF NATIONALITY ESPECIALLY UNDER SEC. 350, WOULD BE USEFUL.
SMITH

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